

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN THE MATTER OF THE *EX PARTE* Misc. Case No.: ____
APPLICATION OF PATOKH CHODIEV :
FOR AN ORDER TO TAKE DISCOVERY :
PURSUANT TO 28 U.S.C. § 1782 :
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**EX PARTE APPLICATION OF PATOKH CHODIEV
FOR AN ORDER TO TAKE
DISCOVERY PURSUANT TO 28 U.S.C. § 1782**

Based upon the concurrently filed Memorandum of Law, the Declarations of Kate Maguire and Thomas Watson, and supporting documents, Patokh Chodiev respectfully applies to this Court for an Order, pursuant to 28 U.S.C. § 1782 and Federal Rules of Civil Procedure 26, 30, and 45, granting him leave to serve Refinitiv US, LLC and Thomson Reuters Holdings Inc. with subpoenas in substantially the same form as those attached as Exhibits A–D to the Declaration of Thomas Watson for the production of documents and deposition testimony for use in contemplated English court proceedings.

Mr. Chodiev’s application meets the requirements of Section 1782. The subpoena recipients are “found” within this district, the narrow discovery Mr. Chodiev requests is “for use” in contemplated proceedings before foreign tribunals, and Mr. Chodiev, as the plaintiff of the foreign proceedings, is an “interested person.” The factors set forth by the United States Supreme Court in *Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241 (2004), also weigh in favor of Mr. Chodiev’s limited discovery requests: (1) English courts are receptive to discovery obtained pursuant to Section 1782; (2) obtaining discovery through Section 1782 would not circumvent any proof-gathering restrictions; and (3) the subpoenas are narrowly tailored to avoid

unnecessary burdens on Refinitiv US, LLC and Thomson Reuters Holdings Inc.

Mr. Chodiev, therefore, respectfully requests that this Court enter an Order granting this Application.

Dated: New York, New York
May 3, 2021

Respectfully submitted,

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